

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ENZO LIFE SCIENCES, INC., : Case No. 04-CV-01555(RJS)
Plaintiff, :
-against- :
AFFYMETRIX, INC. :
Defendant. :
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**ENZO LIFE SCIENCE INC.'s STATEMENT OF MATERIAL
FACTS SHOWING GENUINE ISSUES TO BE TRIED IN
OPPOSITION TO AFFYMETRIX, INC.'s MOTION FOR SUMMARY JUDGMENT**

**FILED UNDER SEAL PURSUANT TO
PROTECTIVE ORDER, SO ORDERED
BY JUDGE SPRIZZO
ON DECEMBER 8, 2005
(03-CV-8907 DOCKET #17)**